

**CHEVY CHASE VILLAGE
BOARD OF MANAGERS
SEPTEMBER 9, 2013 MEETING**

STAFF REPORT

TO: BOARD OF MANAGERS
FROM: SHANA R. DAVIS-COOK, VILLAGE MANAGER 
DATE: 8/29/2013
SUBJECT: OPEN MEETINGS COMPLIANCE ACT DESIGNEE

During its 2013 session, the Maryland General Assembly approved House Bill 139 which requires each public entity subject to the Open Meetings Act to designate a member, officer, or employee to receive training on the requirements of the Act. The designated person must receive training within 90 days of the designation. The law goes into effect on October 1.

The legislation requires each public body to provide notice of its designee(s) to the Open Meetings Compliance Board. The designee can receive training either through an online class offered by the Office of the Attorney General and the University of Maryland's Institute for Governmental Service and Research, or a class on the requirements of the Open Meetings Law offered by the Maryland Association of Counties or the Maryland Municipal League through the Academy for Excellence in Local Governance.

For operational continuance, I have offered to serve as the Village's designee. I will ensure that the obligatory training is received within 90 days following the Board's approval of my designation.

Board Action Requested/Draft Motion

I move to authorize Village Manager Shana Davis-Cook to serve as the Village's designee to receive training regarding the State's Open Meetings Compliance Act pursuant to State law.

Attachment
Maryland House Bill 139

Chapter 351

(House Bill 139)

AN ACT concerning

~~Training for Public Open Meetings Act~~ – Training for Public Bodies

FOR the purpose of ~~requiring the State Open Meetings Law Compliance Board to develop and offer an online training program on the requirements of the open meetings law to employees, officers, or members of a public body; requiring a public body to designate certain individuals to receive certain online training; requiring the public body to submit a list of the individuals designated to receive certain online training to the State Open Meetings Law Compliance Board; requiring certain individuals designated to receive certain online training to complete the training within a certain time period; requiring certain individuals to complete certain annual online training; and generally relating to online training on the requirements of the Open Meetings Act and training for public bodies.~~

BY repealing and reenacting, ~~with~~ without amendments,
Article – State Government
Section 10-502.4(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government
Section 10-502.7
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

10-502.4.

(d) The Board, in conjunction with the Office of the Attorney General and other interested organizations or persons, shall:

~~(1)~~ develop and conduct educational programs on the requirements of the open meetings law for the staffs and attorneys of:

- ~~[(1)]~~ ~~(I)~~ public bodies;
- ~~[(2)]~~ ~~(II)~~ the Maryland Municipal League; and
- ~~[(3)]~~ ~~(III)~~ the Maryland Association of Counties; ~~AND~~

~~(2) DEVELOP AND OFFER AN ONLINE TRAINING PROGRAM ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW TO EMPLOYEES, OFFICERS, OR MEMBERS OF A PUBLIC BODY.~~

10-502.7.

(A) EACH PUBLIC BODY SHALL:

(1) DESIGNATE ~~INDIVIDUALS WHO ARE EMPLOYEES, OFFICERS, OR MEMBERS~~ AT LEAST ONE INDIVIDUAL WHO IS AN EMPLOYEE, AN OFFICER, OR A MEMBER OF THE PUBLIC BODY TO RECEIVE ~~ONLINE~~ TRAINING ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW; AND

(2) FORWARD A LIST OF THE INDIVIDUALS DESIGNATED UNDER ITEM (1) OF THIS SUBSECTION TO THE BOARD.

~~(B) (1) EACH INDIVIDUAL DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION SHALL COMPLETE THE ONLINE TRAINING ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW WITHIN 30 DAYS AFTER BEING DESIGNATED.~~

~~(2) AFTER THE INITIAL TRAINING COMPLETED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE INDIVIDUAL SHALL COMPLETE ANNUAL ONLINE TRAINING THAT INCLUDES INFORMATION REGARDING:~~

~~(I) AMENDMENTS TO THE OPEN MEETINGS LAW;~~

~~(II) WRITTEN OPINIONS OF THE BOARD; AND~~

~~(III) HOW THE PUBLIC BODY CAN COMPLY WITH THE OPEN MEETINGS LAW WITH REGARD TO CHANGING TECHNOLOGY.~~

(B) WITHIN 90 DAYS AFTER BEING DESIGNATED UNDER SUBSECTION (A)(1) OF THIS SECTION, AN INDIVIDUAL SHALL COMPLETE:

(1) AN ONLINE CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS LAW OFFERED BY THE OFFICE OF THE ATTORNEY GENERAL AND

THE UNIVERSITY OF MARYLAND'S INSTITUTE FOR GOVERNMENTAL SERVICE
AND RESEARCH; OR

(2) A CLASS ON THE REQUIREMENTS OF THE OPEN MEETINGS
LAW OFFERED BY THE MARYLAND ASSOCIATION OF COUNTIES OR THE
MARYLAND MUNICIPAL LEAGUE THROUGH THE ACADEMY FOR EXCELLENCE IN
LOCAL GOVERNANCE.

SECTION 2. AND BE IT FURTHER ENACTED, That the initial individuals designated under § 10-502.7(a)(1) of the State Government Article, as enacted by Section 1 of this Act, shall complete the ~~online~~ training on the requirements of the open meetings law within 6 months after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 2, 2013.